

**Decision maker:** Planning Committee

**Subject:** Planning appeal decision relating to Fontenoy House, Grand Parade, Portsmouth

**Report by:** Claire Upton-Brown, City Development Manager

**Ward affected:** St Thomas

**Key decision (over £250k):**

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**1. Purpose of report**

To advise the Committee of the outcome of the appeal, which was allowed.

**2. Recommendations**

Members are asked to note the report.

**3. Background**

A planning application was considered by the Planning Committee at its meeting on 9<sup>th</sup> October 2013. This application sought permission for the construction of a single storey extension to the roof of the application site to form two flats and including raising the existing parapet wall, the installation of balustrading and the extension of the existing fire escape. This application was recommended for conditional permission by Officers however planning permission was refused by the Planning Committee. The reasons for the refusal of this application related to; a) the incongruous nature of the proposed extension which would fail to relate appropriately with the wider streetscene and fail to preserve or enhance the character or appearance of the Old Portsmouth Conservation Area; and b) the lack of sufficient parking for vehicles and the impact of this for on street parking demand within the surrounding area.

The inspector took the view that: 'The proposed roof extension would be of a contemporary design and would be lightweight in appearance. It would be set back from the existing elevations that face the street. This would ensure that it would not dominate the existing building, but would appear to be a subordinate addition. It would also use light colours and materials that would contrast with the red brick of the remainder of the building whilst providing a visual link with the colours on some of the surrounding properties'. With regards to design, the inspector concluded that: 'The proposed roof extension would not be harmful to the Old Portsmouth Conservation Area, which would be preserved. The proposal would comply with policy PCS23, which requires new development to be of an excellent architectural quality and to respect the character of the city. It

would also accord with the Framework's requirement to preserve heritage assets in a manner that is appropriate to their significance'.

With regards to car parking, the inspector took the view that: 'Residents of the proposed flats could choose not to own a car, as there is reasonable access to public transport. Alternatively, they would be eligible for a residents permit. Although applications are subject to capacity restrictions, there was no evidence to suggest that the applications for permits would not be accepted. The proposed development could give rise to a small increase in demand for on-street parking and this would add cumulatively to the overall demand. I also note that the highway authority did not object to the application, subject to the provision of cycle parking'. The inspector concluded that: 'The proposed development would not give rise to unacceptable additional demand for on-street parking'.

With regards to the impact of the proposal on residential amenity, the inspector took the view that: 'Drawing the threads of my assessment on these matters together, I consider that the proposal would not unacceptably increase the sense of enclosure of the communal courtyard. Neither would the proposal give rise to a material increase in the odours of fumes that nearby residents would experience. The need to provide additional areas for bins and secure cycle storage would result in a loss of space within the internal courtyard. The proposal submitted with the applications would reduce its usefulness as a private amenity space for the residents. However, I consider that an alternative scheme to provide adequately for bin and cycle storage, whilst retaining more of the amenity space, could be secured by condition'. The inspector concluded that: 'The proposal would not result in an unacceptable harm to the living conditions of the existing residents of Fontenoy House arising from visual intrusion, fumes or loss of amenity space. The proposal would therefore, comply with policy PCS23 of the Portsmouth Plan, which requires the provision of a good standard of living environment for neighbouring and local occupiers as well as future residents and users of development'.

The appeal was allowed.

**4. Reasons for recommendations**

For information to the Planning Committee.

**5. Equality impact assessment (EIA)**

N/A

**6. Legal services' comments**

The report is for information only.

**6. Head of finance's comments**

The report is for information only.

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Signed by:

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
Planning application file 13/00989/FUL	Planning Services
Inspector's decision notice APP/Z1775/A/13/2209514	Planning Services